

ABSTRACT

Public Servants – Revenue Department - Allegations of corruption against Sri Ramba Swaminatham Gangaiah Lokanadham, S/o. Sri Gangaiah, Typist, Office of the Tahsildar, Piler, Chittoor District – Tapped by the Anti-Corruption Bureau Officials on 18-08-2009 – Sanction of Prosecution – Orders - Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 588

Dt.21-06-2010.

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ORDER:

Whereas, Sri Ramba Swaminatham Gangaiah Lokanadham worked as Typist in the Office of the Tahsildar, Piler, Chittoor District from 23-04-2007 to 18-08-2009 and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Burra Purusotham, age:62 years, S/o.Sri Doraswamy, retired Line Inspector, A.P.Tansco, residing in D.No.9-392/1, Rajiv Nagar Colony, Piler, Chittoor District is the defacto complainant;

3. And whereas, it is alleged that on 17-08-2009 at 12:00 hours, the complainant Sri Burra Purusotham, came to the Anti-Corruption Bureau Office, Tirupati and lodged a written report with the I.O. stating the he has two sons and one daughter, his 1st son Sri B.Satish Kumar is studying M.C.A., 2nd son, Sri B.Siva Prasad is studying M.Sc., and daughter Kum.B.Deepa is studying Intermediate. He belongs to Ediga by caste. He submitted an application in the Office of the Tahsildar, Piler on 25-05-2009 with a request to issue OBC certificates to his three children since OBC certificates are required to them. On his application, the concerned Village Revenue Officer and Revenue Inspector conducted an enquiry and processed his application to Tahsildar and the same were pending with Typist, Tahsildar Office. On 29-05-2009, Sri Burra Purusotham met Sri Ramba Swaminatham Gangaiah Lokanadham to get his OBC Certificates, but the said Sri Ramba Swaminatham Gangaiah Lokanadham, demanded him to pay Rs.200/- for each certificate in total an amount of Rs.600/- as bribe. Sri Burra Purusotham refused to pay bribe amount. During the 1st week of June, Sri Burra Purusotham met Sri Ramba Swaminatham Gangaiah Lokanadham and requested to issue the OBC certificate of his 2nd son Sri B.Siva Prasad, since he required it urgently for joining in M.Sc., course. Sri Ramba Swaminatham Gangaiah Lokanadham gave the

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certificate of Sri B.Siva Prasad (2nd son of complainant) only, by keeping the remaining two OBC certificates and demanded him to pay Rs.500/- as bribe for giving certificates. Four or five times Sri Burra Purusotham met Sri Ramba Swaminatham Gangaiah Lokanadham, but Sri Ramba Swaminatham Gangaiah Lokanadham postponed the matter to different dates asking him whether he brought the demanded bribe amount. Finally, Sri B.Purusotham met Sri Ramba Swaminatham Gangaiah Lokanadham, three days prior to the occurrence of the case in the Office of the Tahsildar, Piler and asked about his children Certificates. Sri Ramba Swaminatham Gangaiah Lokanadham informed him that he readied the certificates and he will give the certificates, if he pays the demanded bribe amount of Rs.500/- otherwise, certificates would not be given to him. Having no other go, Sri Burra Purusotham agreed to pay the demanded bribe amount of Sri Ramba Swaminatham Gangaiah Lokanadham. He requested the Deputy Superintendent of Police, Anti-Corruption Bureau, to take necessary action against Sri Ramba Swaminatham Gangaiah Lokanadham;

4. And whereas, on 18-08-2009 at 09:45 hours, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore, in-charge, Tirupati Range, Tirupati registered the report of Sri Burra Purusotham as a case in Cr.No.11/RCT-TCT-2009 under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) of Anti-Corruption Bureau, Tirupati Range, Tirupati after observing all formalities. On 18-08-2009, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore, in-charge, Tirupati conducted pre-trap proceedings at the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati in between 10:30 hours to 12:30 hours in the presence of two mediators, other Inspectors, staff and Sri Burra Purusotham also present during that time. All the required formalities to be observed were complied with;

5. And whereas, after completion of pre-trap proceedings, the Deputy Superintendent of Police, Anti-Corruption Bureau, along with Sri Burra Purusotham, two mediators, three Inspectors and Anti-Corruption Bureau staff left Anti-Corruption Bureau Office, Tirupati and reached Piler at 14:20 hours. The Deputy Superintendent of Police instructed Sri Burra Purusotham to go to the Office of the Tahsildar, Piler and pay the tainted bribe amount to Sri Ramba Swaminatham Gangaiah Lokanadham, only on his further demanded and in case of his demand and acceptance of bribe amount to give the signal by wiping his face with his hand kerchief to Police Constable. Sri Burra Purusotham went into the Office of the Tahdildar, met Sri Ramba Swaminatham Gangaiah Lokanadham and asked about his OBC Certificates. Sri Ramba Swaminatham Gangaiah Lokanadham asked him whether he had brought the demanded bribe amount. Sri Burra Purusotham gave positive reply. After ensuring that he had brought the demanded bribe amount, Sri Ramba Swaminatham Gangaiah Lokanadham handed over to him OBC Certificates issued in respect of his 1st son and

daughter and obtained his acknowledgement. Then, Sri Ramba Swaminatham Gangaiah Lokanadham asked him to give the bribe amount. Sri Burra Purusotham gave the amount, Sri Ramba Swaminatham Gangaiah Lokanadham took the amount with his right hand. He came out of the Office and gave pre-arranged signal. Immediately after received the relayed signal of Police Constable, the Deputy Superintendent of Police along with the mediators and other team members rushed to the Office of the Tahsildar, Piler. While entering into the Office, the Deputy Superintendent of Police, asked Sri Burra Purusotham to wait out side of the Office until he was called in. The Deputy Superintendent of Police got prepared Sodium Carbonate solution in two glass tumblers, and asked Sri Ramba Swaminatham Gangaiah Lokanadham to rinse his fingers of both hands in the said solutions and subjected to chemical test and the right hand fingers only yielded positive result. Sri Ramba Swaminatham Gangaiah Lokanadham himself took out the Rs.500/- currency note by lifting the news paper bunch. On the instructions of the Deputy Superintendent of Police, the 2nd mediator took the currency note from Sri Ramba Swaminatham Gangaiah Lokanadham and compared the numerical number of the currency note with that of the note already recorded in pre-trap proceedings and found tallied. The Deputy Superintendent of Police seized the said note of Rs.500/- currency note. Chemical test was conducted to the news paper out of bunch of papers, which was also yielded positive result. The Deputy Superintendent of Police seized the news paper under which the currency note was placed. The Deputy Superintendent of Police, Anti-Corruption Bureau seized the files pertaining to the daughter and 1st son of Sri Burra Purusotham. Sri Ramba Swaminatham Gangaiah Lokanadham was arrested by the Deputy Superintendent of Police, Anti-Corruption Police, Tirupati after explaining the grounds of his arrest. The above proceedings were reduced into writing in the form of mediator report No.2;

6. And whereas, the aforesaid acts of the said Sri Ramba Swaminatham Gangaiah Lokanadham, Typist, Office of the Tahsildar, Piler, Chittoor District constitute offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Ramba Swaminatham Gangaiah Lokanadham, Typist, Office of the Tahsildar, Piler, Chittoor District from Government service, after fully and carefully examining the material i.e., copy of the First Information Report, copies of the Mediators' Reports-I & II, Final Report of the Director General, Anti-Corruption Bureau, gist of the statements of the witnesses and other documents placed before them, in respect of the aforesaid allegations and having regard to the facts and circumstances of the case consider that the said Sri Ramba Swaminatham

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Gangaiah Lokanadham, Typist, Office of the Tahsildar, Piler, Chittoor District should be prosecuted, in a Court of law, for the above said offences;

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Ramba Swaminatham Gangaiah Lokanadham, Typist, Office of the Tahsildar, Piler, Chittoor District for the above said offences punishable under sections 7, 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force, in respect of the aforesaid acts and for taking cognizance of the said offences, by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.